

## Environmental Protection Agency

## § 80.603

are electronically generated or maintained, the equipment and software necessary to read the records shall be made available, or if requested by EPA, electronic records shall be converted to paper documents which shall be provided to the Administrator's authorized representative.

(g) *Additional records to be kept by aggregated facilities consisting of a refinery and a truck loading terminal.* In addition to the applicable records required by paragraphs (a) through (f) of this section, such aggregated facilities must also keep the following records:

(1) The following information for each batch of motor vehicle diesel fuel produced by the refinery and sent over the aggregated facility's truck rack:

- (i) The batch volume;
- (ii) The batch number, assigned under the batch numbering procedures under §§ 80.65(d)(3) and 80.502(d)(1);
- (iii) The date of production;
- (iv) A record designating the batch as one of the following:

(A) NRLM diesel fuel, NR diesel fuel, LM diesel fuel, or heating oil, as applicable.

(B) Meeting the 500 ppm sulfur standard of § 80.510(a) or the 15 ppm sulfur standard of § 80.510(b) and (c) or other applicable standard.

(C) Dyed or undyed with visible evidence of solvent red 164.

(D) Marked or unmarked with solvent yellow 124.

(2) Hand-off reports for all distillate fuel from external sources (*i.e.*, from another refiner or importer), as described in § 80.601(f)(2).

[69 FR 39199, June 29, 2004, as amended at 70 FR 70513, Nov. 22, 2005; 71 FR 25723, May 1, 2006]

### § 80.603 What are the pre-compliance reporting requirements for NRLM diesel fuel?

(a) Except as provided in paragraph (c) of this section, beginning on June 1, 2005, and for each year until June 1, 2011, or until the entity produces or imports NR or NRLM diesel fuel meeting the 15 ppm sulfur standard of § 80.510(b) or (c), all refiners and importers planning to produce or import NR or NRLM diesel fuel, shall submit the following information to EPA:

(1) Any changes to the information submitted for the company registration;

(2) Any changes to the information submitted for any refinery or import facility registration;

(3) Any estimate of the average daily volumes (in gallons) of each sulfur grade of motor vehicle and NRLM diesel fuel produced (or imported) at each refinery (or import facility). These volume estimates must be provided both for fuel produced from crude oil, as well as any fuel produced from other sources, and must be provided for the periods of June 1, 2010 through December 31, 2010, calendar years 2011 through 2013, January 1, 2014 through May 31, 2014, and June 1, 2014 through December 31, 2014;

(4) If expecting to participate in the credit trading program, estimates of the number of credits to be generated and/or used each year the program;

(5) Information on project schedule by quarter of known or projected completion date by the stage of the project, for example, following the five project phases described in EPA's June 2002 Highway Diesel Progress Review report (EPA420-R-02-016, <http://www.epa.gov/otaq/regs/hd2007/420r02016.pdf>): Strategic planning, Planning and front-end engineering, Detailed engineering and permitting, Procurement and construction, and Commissioning and startup;

(6) Basic information regarding the selected technology pathway for compliance (*e.g.*, conventional hydrotreating vs. other technologies, revamp vs. grassroots, etc.);

(7) Whether capital commitments have been made or are projected to be made; and

(8) The pre-compliance reports due in 2006 and later years must provide an update of the progress in each of these areas.

(b) Reports under this section may be submitted in conjunction with reports submitted under § 80.594.

(c) The pre-compliance reporting requirements of this section do not apply to refineries subject to the provisions of § 80.513.

[69 FR 39200, June 29, 2004]